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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/039,740	01/03/2002	Adam T. Lake	42390.P1335I	1131
7590	11/16/2005			
James H. Salter Blakely, Sokoloff, Taylor & Zafman Name LLP Seventh Floor 12400 Wilshire Boulevard Los Angeles, CA 90025-1030			EXAMINER PITARO, RYAN F	
			ART UNIT	PAPER NUMBER
			2174	

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/039,740

Applicant(s)

LAKE ET AL.

Examiner

Ryan F. Pitaro

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-27 have been examined.

Response to Amendment

2. This communication is responsive to Amendment B, filed 8/30/2005.
3. Claims 1-27 are pending in this application. Claims 1,10,17,25 are independent claims. In the Amendment A, Claims 1-16 were amended. This action is non-Final.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-4,7-20,23-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Megiddo et al ("Megiddo", US 6,892,181).

As per independent claim 1, Megiddo discloses a method to view information comprising: displaying a first web page having dynamically changing information content segments (Column 4 lines 37-45); dynamically changing one or more of the information content segments (Column 1 lines 31-45); ordering a list of information content segments that have previously appeared on a web page, wherein said web

page is displayed in a first area of an information display (Figure 3b); and includes the information content segments that have previously appeared on the web page (Figure 3b, old ads); and displaying said list of information content segments to be viewed concurrently with said web page (Column 4 lines 16-20, Figure 3b).

As per claim 2, which is dependent on claim 1, Megiddo discloses a method wherein said ordering follows a chronological order of display (Figure 3b, old ads listed first, new ads listed second).

As per claim 3, which is dependent on claim 1, Megiddo discloses a method associating said first area of said information display with said list of information content segments (Figure 3b).

As per claim 4, which is dependent on claim 3, Megiddo discloses a method wherein said associating places said first area of said information display proximate to said list of information content segments (Figure 3b).

As per claim 7, which is dependent on claim 1, Megiddo discloses a method further comprising navigating through said list of information content segments (Column 4 lines 31-37).

As per claim 8, which is dependent on claim 7, Megiddo discloses a method wherein navigating is performed with at least one of a scroll bar, a button, and a voice command (Col 4 lines 31-37; clickable small square).

As per claim 9, which is dependent on claim 1, Megiddo discloses a method wherein said information content is an advertisement (Figure 3b, 320,322).

Claims 10,17,25 are individually similar in scope to claim 1 and are therefore rejected under similar rationale.

Claims 11,18,26 are individually similar in scope to claim 2 and are therefore rejected under similar rationale.

Claims 12,19 are individually similar in scope to claim 3 and are therefore rejected under similar rationale.

Claims 13,20 are individually similar in scope to claim 4 and are therefore rejected under similar rationale.

Claims 14,23,27 are individually similar in scope to claim 7 and are therefore rejected under similar rationale.

Claims 15,24 are individually similar in scope to claim 8 and are therefore rejected under similar rationale.

Claim 16 is similar in scope to claim 9 and is therefore rejected under similar rationale.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 5,6,21,22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Megiddo et al ("Megiddo", US 6,892,181) in further view of Rice ("Rice", US# 6486891).

As per claim 5, which is dependent on claim 1, Megiddo fails to disclose a method wherein said information display is a projection of light on a surface. However Rice teaches a method wherein said information display is a projection of light on a surface (Column 4 lines 15-16). Therefore it would have been obvious to combine Megiddo's method with Rice's teaching. Motivation to so do would have been to allow the display of the information to display advertisements to an Internet user browsing the World Wide Web.

As per claim 6, which is dependent on claim 1, Megiddo fails to disclose a method wherein said information display is comprised of electrically powered display elements. However, Rice teaches a method wherein said information display is comprised of electrically powered display elements (Column 4 lines 17-20). Therefore it would have been obvious to combine Megiddo's method with Rice's teaching. Motivation to so do would have been to allow the display of the information to display advertisements to an Internet user browsing the World Wide Web.

Claim 21 is similar in scope to claim 5 and is therefore rejected under similar rationale.

Claim 22 is similar in scope to claim 6 and is therefore rejected under similar rationale.

Response to Arguments

Applicant's arguments filed 8/30/2005 have been fully considered but they are not persuasive.

In regards to claim 1 and those similar in scope the Applicant argues that Megiddo fails to disclose a web page with dynamically changing information content segments. And that returning to a previously viewed web page did not necessarily provide the previously viewed advertisements. However, this is exactly what the invention of Megiddo is set out to do. Megiddo states:

Due to limited space on the displayed web page and the fact that a web page is only viewed for a short period of time, advertisers try to change the displayed ads quickly. The ads can either be part of one dynamic "gif" file or an applet which fetches more ads. The problem with this method is that some times a user may indeed be interested in one of the ads but misses it and then has no way of returning to it. The problem is even more severe when the user goes to a first URL, sees an ad there, then goes to a second URL, and then returns to the first URL. By the time the user returns to the first URL, the ad has been replaced and leaves no opportunity for retrieval.

The present invention overcomes the above mentioned drawbacks by providing a method and system that increases the effectiveness of advertising by allowing the user to return and request previously displayed ads that are of interest.

Therefore, the Examiner respectfully disagrees with the Applicant for at least the reasons expressed above.

Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F Pitaro whose telephone number is 571-272-4071. The examiner can normally be reached on 7:00am - 4:30pm M-Th, and alternating F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan Pitaro
Patent Examiner
Art Unit 2174

RFP


SY LUU
PRIMARY EXAMINER